



Corres. and Mail  
**BOX AF**

Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group 3700

PATENT  
ATTORNEY DOCKET NO.: 085658-0001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	<b>Mail Stop AF</b>
Bevely ROBERTS	)	
	)	Group Art Unit: 3761
Application No.: 10/035,166	)	
	)	Examiner: D. EREZO
Filing Date: January 4, 2002	)	
	)	Confirmation No. 1763
For: APPARATUS FOR DELIVERING INHALANT	)	
AND MONITORING EXHALED FLUID,	)	Customer No. 25269
METHOD OF MAKING SAME, AND METHOD	)	
OF DELIVERING INHALANT AND	)	
MONITORING EXHALED FLUID	)	

**Mail Stop AF**  
Commissioner for Patents  
Washington, D.C. 20231

ENTER  
10/4/04  
DE

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116**

In response to the Final Office Action dated June 3, 2004, and pursuant to 37 C.F.R. § 1.116, the period of response to which extends through October 3, 2004, with payment of a one month extension of time, entry of the following Amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.

**Amendments to the Claims begin on page 2 of this paper.**

**Remarks/Arguments begin on page 4 of this paper.**